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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERIC GEROLD,  
Plaintiff(s),  
vs.  
NOVORTIS RETALIN,  
Defendant(s).

No. C 07-4142 MEJ

**ORDER DIRECTING PLAINTIFF TO  
FILE CONSENT/DECLINATION FORM**

Pending before the Court is Plaintiff's Application to Proceed *In Forma Pauperis*, filed on August 13, 2007. Upon review of the record in this action, the Court notes that Plaintiff has not filed a written consent to Magistrate Judge James' jurisdiction or a request for reassignment to a United States District Court judge for trial. This civil case was randomly assigned to United States Magistrate Judge Maria-Elena James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this District Court are designated to conduct any and all proceedings in a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and

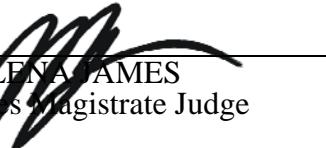
1 disposition. Accordingly, Plaintiff shall inform the Court, by way of the enclosed form, whether  
2 Plaintiff consents to Magistrate Judge James' jurisdiction or requests reassignment to a United  
3 States District Judge for trial. The consent/declination form shall be filed as soon as possible, but no  
4 later than August 30, 2007.

5 **IT IS SO ORDERED.**

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7 Dated: August 14, 2007

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MARIA-ELENA JAMES  
United States Magistrate Judge



1                   UNITED STATES DISTRICT COURT  
2                   FOR THE  
3                   NORTHERN DISTRICT OF CALIFORNIA

4 ERIC C. GEROLD,

5 Plaintiff,

6 v.

7 NOVORTIS RETALIN et al,

8 Defendant.  
\_\_\_\_\_/

Case Number: CV07-04142 MEJ

**CERTIFICATE OF SERVICE**

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
10 Court, Northern District of California.

11 That on August 14, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
14 in the Clerk's office.

15 Eric Gerold  
16 17 Woodford Drive  
17 Moraga, CA 94549

18 Dated: August 14, 2007

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk